

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

Rita Shine Bird

f/k/a Rita Shine Montano

Debtor

Rita Shine Bird

f/k/a Rita Shine Montano

Movant

vs.

PNC Bank, National Association

Respondent

NO. 17-21787-CMB

CHAPTER 13

Related to: Document No. 59

**STIPULATION AND ORDER**

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Debtor filed an objection to the Respondent's Notice of Mortgage Payment Change filed December 2, 2019, which increased Debtor's monthly payment from \$574.27 to \$1,120.28 effective January 1, 2020;

WHEREAS, the monthly payment increase was due to an increase in the escrow items from \$206.62 to \$311.68, and the addition of an escrow shortage in the amount of \$440.95;

WHEREAS, Respondent has agreed to spread out the escrow shortage over 60 months to reduce the monthly payment increase and resolve the pending objection.

It is therefore Stipulated and agreed as follows:

1. The Notice of Mortgage Payment Change filed December 2, 2019 is hereby withdrawn.
2. Debtor's monthly payment will be \$722.87 effective April 1, 2020, as evidenced by the Escrow Account Disclosure Statement dated March 10, 2020 which is attached hereto as Exhibit "A".

3. Included in the monthly payment beginning April 1, 2020 is a Prorated Escrow Shortage payment in the amount of \$63.08, which escrow amount shall be included as part of each payment due through and including the payment due March 1, 2025.
4. Debtor acknowledges that future annual escrow reviews may require increases in the amounts owed for escrow items and escrow shortages, resulting in corresponding increases in monthly payments during the time that the Prorated Escrow Shortage is being paid.
5. The notice requirement of F.R.B.P. 3002.1(b)(1) is waived as to the payment due April 1, 2020.
6. Debtor's Objection to the Notice of Mortgage Payment Change is hereby withdrawn.
7. The hearing scheduled for May 12, 2020 at 11:00 p.m. is cancelled.

Consented to by:

/s/ Scott R. Lowden, Esquire

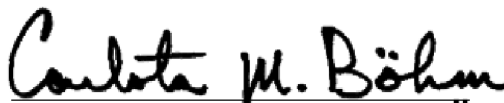
Scott R. Lowden, Esquire  
Nicotero & Lowden P.C.  
Attorney for Debtor  
3948 Monroeville Blvd., Suite 2  
Phone: 412-374-7161  
Monroeville, PA 15146  
niclowlgl@comcast.net

/s/ James C. Warmbrodt, Esquire

James C. Warmbrodt, Esquire  
KML Law Group, P.C.  
Attorney for Respondent  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Phone: 412-430-3594  
jwarmbrodt@kmlawgroup.com

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,



Carlota M. Böhm <sup>glb</sup>  
Chief United States Bankruptcy Judge

Dated: April 22, 2020

FILED  
4/22/20 10:37 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

PROPERTY ADDRESS:  
379 W WYLIE AVE  
WASHINGTON, PA 15301

RITA S MONTANO  
379 W WYLIE AVE  
WASHINGTON PA 15301-2251

#### CURRENT MONTHLY MORTGAGE PAYMENT

Principal & Interest	367.65
Escrow	311.68
Prorated Escrow Surplus	-105.06
Total Payment	574.27

#### NEW PAYMENT INFORMATION

Principal & Interest	367.65
Escrow	292.14
Prorated Escrow Shortage	63.08
<b>Total Payment</b>	<b>722.87</b>
<b>New Payment Effective Date</b>	<b>04/01/20</b>

#### COMING YEAR ESCROW PROJECTION

This statement provides a detailed summary of activity related to your escrow account. PNC Bank maintains your escrow account to pay such items as property taxes, insurance premiums, and mortgage insurance.

This section lists a 12-month running escrow balance to determine the appropriate target balance and to determine if a shortage or surplus exists. This is a projection of the anticipated activity in your escrow account for the coming 12 months.

ANTICIPATED ESCROW DISBURSEMENT		MONTH	PAYMENTS TO ESCROW	DESCRIPTION	PAYMENTS FROM ESCROW	CUR BAL PROJECTION	REQ BAL PROJECTION
CITY TAX	\$38.16			BEGINNING BALANCE		-2,770.94	1,013.94
TAXES	\$690.90	April	292.14			-2,478.80	1,306.08
HAZARD INS	\$2,622.00	May	292.14	CITY TAX	38.16	-2,224.82	1,560.06
COUNTY TAX	\$154.56	June	292.14			-1,932.68	1,852.20
		July	292.14			-1,640.54	2,144.34
		August	292.14			-1,348.40	2,436.48
TOTAL DISBURSEMENTS	\$3,505.62	September	292.14	SCHOOL TAX	690.90	-1,747.16	2,037.72
		October	292.14			-1,455.02	2,329.86
DIVIDED BY 12 MONTHS		November	292.14			-1,162.88	2,622.00
		December	292.14			-870.74	2,914.14
MONTHLY ESCROW DEPOSIT	\$292.14	January	292.14	HAZARD INS	2,622.00	-3,200.60 *	584.28 **
		February	292.14			-2,908.46	876.42
		March	292.14	COUNTY TAX	154.56	-2,770.88	1,014.00

#### CALCULATION OF ESCROW ADJUSTMENT

BEGINNING PROJECTED BALANCE	-\$2,770.94
BEGINNING REQUIRED BALANCE	\$1,013.94

ESCROW SHORTAGE	\$3,784.88
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The required minimum balance allowed by federal law (RESPA) is two times your monthly escrow payment (excluding MIP/PMI), unless your mortgage document or state law specifies a lower amount.

\* The projected escrow balance at the low point.

\*\* The lowest balance the escrow account should attain during the projected period.

MORE INFORMATION ON REVERSE SIDE

#### IMPORTANT MESSAGES

Make your check, money order or cashier's check payable to PNC Bank. All Payments must be funds from a U.S. Bank Account and are subject to PNC's acceptance. **Do NOT send cash by mail.**

We understand that you have filed for bankruptcy and have not yet received a discharge. None of the information requested in this statement will be used for the collection of any debts or for purposes prohibited by the Bankruptcy Code or other applicable Federal or state law.



#### INTERNET REPRINT ESCROW SHORTAGE COUPON

Customer Name: RITA S MONTANO

PNC BANK  
PO BOX 6534  
CAROL STREAM IL 60197-6534

Account Number: [REDACTED] Shortage Amount: \$3,784.88

If you wish to pay the shortage amount in full, please mail a check for the shortage amount, along with this coupon, in the envelope provided. When paying your escrow shortage, please do not make your payment via electronic on-line banking, as it will not be applied directly to escrow. Payment should be remitted no later than 15 business days after receipt of this notification. Your new monthly mortgage payment will be reduced to \$659.79 once you pay the shortage amount. **In order to avoid a delay in the processing of your payment, please DO NOT include your mortgage payment with the shortage payment.**

This is a copy of your escrow shortage coupon. If you cannot find your original statement, please contact Customer Service at 800-822-6626 to request a new statement or click the link above to pay your escrow shortage online. Please DO NOT print and mail a copy of this coupon with your payment, because it may cause a delay in the posting of your payment.

Your projected escrow balance as of 03/31/20 is -\$2,770.94. Your required beginning escrow balance, according to this analysis, should be \$1,013.94. This means you have a shortage of \$3,784.88. We have divided the shortage interest-free, over 60 months. If you choose to pay the shortage in full, then your new monthly mortgage payment will be reduced to \$659.79.

Once during this analysis period, your required escrow balance should be reduced to a target balance of \$584.28, as it does in January. Under Federal law, your target balance should not exceed an amount equal to two months of escrow payments for taxes and insurance, unless your mortgage document or state law specifies a lower amount.

#### Projected Activity from the Previous Analysis

This is a projection of the activity for your escrow account from the Previous Analysis. This projection was based on the disbursements anticipated to be made from your escrow account. Compare this projection to the actual escrow activity in the Account History (summarized below).

The escrow payment in this projection may not equal the escrow payment in the Account History if an adjustment was made to collect a shortage or refund a surplus.

Adjustments to the payment and differences between the anticipated and actual disbursements may prevent the actual balance from reaching the projected low escrow balance.

Date	Description	Payments	Disbursements	Balance
	BEGINNING BALANCE			568.22
01/20	FHA/RBP	311.68	27.54	852.36
02/20	FHA/RBP	311.68	27.54	1,136.50
03/20	FHA/RBP	311.68	27.54	1,420.64
03/20	COUNTY TAX		154.56	1,266.08
04/20	FHA/RBP	311.68	27.54	1,550.22
05/20	FHA/RBP	311.68	27.54	1,834.36
05/20	CITY TAX		38.16	1,796.20
06/20	FHA/RBP	311.68	27.54	2,080.34
07/20	FHA/RBP	311.68	27.54	2,364.48
08/20	FHA/RBP	311.68	27.54	2,648.62
09/20	FHA/RBP	311.68	27.54	2,932.76
09/20	SCHOOL TAX		690.90	2,241.86
10/20	FHA/RBP	311.68	27.54	2,526.00
11/20	FHA/RBP	311.68	27.54	2,810.14
12/20	FHA/RBP	311.68	27.54	3,094.28
12/20	HAZARD INS		2,526.00	568.28 **
TOTAL		3,740.16	3,740.10	

#### Account History

This is a statement of actual escrow account activity from January 2020 through March 2020. Compare it to the Projected Activity from the Previous Analysis which appears above the Account History.

Your total mortgage payment during the past year was \$574.27 of which \$367.65 was your Principal and Interest payment and \$311.68 was your escrow payment.

Date	Description	Payments	Disbursements	Balance
	BEGINNING BALANCE			-6,058.91
01/20	FHA/RBP		27.54 *	-6,086.45
02/20		413.24	*	-5,673.21
02/20	FHA/RBP		27.54 *	-5,700.75
02/20	COUNTY TAX		154.56 *	-5,855.31
03/20		3,084.37 e	*	-2,770.94
TOTAL		3,497.61	209.64	

\* Indicates a difference from projected activity either in the amount or the date.

\*\* Required minimum escrow balance.

"e" Indicates estimates for future payments or disbursements.

If you have any questions about this analysis statement, please visit us at [pnc.com/homehq](http://pnc.com/homehq) to send us an email, write to us at PNC Bank, Attention: Customer Service Research; B6-YM07-01-7, PO Box 1820; Dayton, OH 45401 or call our Customer Service Department toll free number 1-800-822-5626.



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**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Rita Shine Bird  
Debtor

Case No. 17-21787-CMB  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: gamr  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 22, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 24, 2020.

db +Rita Shine Bird, 379 West Wylie Avenue, Washington, PA 15301-2251

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 24, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 22, 2020 at the address(es) listed below:

David A. Rice on behalf of Debtor Rita Shine Bird ricelaw1@verizon.net, lowdenscott@gmail.com  
Elizabeth Lamont Wassall on behalf of Creditor PNC Bank, National Association pabk@logs.com, ewassall@logs.com  
Elizabeth Lamont Wassall on behalf of Creditor PNC Bank, N.A. pabk@logs.com, ewassall@logs.com  
James Warmbrodt on behalf of Creditor PNC Bank, National Association bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor PNC Bank, N.A. bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
Scott R. Lowden on behalf of Debtor Rita Shine Bird niclowlgl@comcast.net

TOTAL: 8